

DW/S

| AMENDMENT TRANSMITTAL LETTER  |                                  |                                  |  | Docket No.<br>46568-240156 |                  |
|---|----------------------------------|----------------------------------|--|----------------------------|------------------|
| Application No.<br>10/654,170-Conf. #4327   |                                  | Filing Date<br>September 3, 2003 |  | Examiner<br>B. Q. Truong   | Art Unit<br>2875 |
| Applicant(s): Gary et al.   |                                  |                                  |  |                            |                  |
| Invention: <b>AUTOMATICALLY ERECTABLE DECORATIVE TREE</b>   |                                  |                                  |  |                            |                  |
| TO THE COMMISSIONER FOR PATENTS   |                                  |                                  |  |                            |                  |
| Transmitted herewith is an amendment in the above-identified application.   |                                  |                                  |  |                            |                  |
| The fee has been calculated and is transmitted as shown below.  |                                  |                                  |  |                            |                  |
| CLAIMS AS AMENDED   |                                  |                                  |  |                            |                  |
|   | Claims Remaining After Amendment | Highest Number Previously Paid   | Number Extra Claims Present                      | Rate                       |                  |
| Total Claims  | 26                               | - 48 =                           | 0  | x 50.00                    | 0.00             |
| Independent Claims  | 4                                | - 5 =                            | 0  | x 200.00                   | 0.00             |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                  |                                  |  |                            |                  |
| Other fee (please specify): Petition for (a 3-month) Extension of Time  |                                  |                                  |  |                            | 510.00           |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:  |                                  |                                  |  |                            | 510.00           |
| <input type="checkbox"/> Large Entity   |                                  |                                  | <input checked="" type="checkbox"/> Small Entity |                            |                  |
| <input type="checkbox"/> No additional fee is required for this amendment.  |                                  |                                  |  |                            |                  |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.   |                                  |                                  |  |                            |                  |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.   |                                  |                                  |  |                            |                  |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |                                  |                                  |  |                            |                  |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>22-0261</u> as described below. A duplicate copy of this sheet is enclosed. |                                  |                                  |  |                            |                  |
| <input type="checkbox"/> Credit any overpayment.  |                                  |                                  |  |                            |                  |
| <input type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.   |                                  |                                  |  |                            |                  |
|   |                                  |                                  | Dated: <u>January 16, 2007</u>                   |                            |                  |
| Stuart I. Smith<br>Attorney Reg. No.: 42,159  |                                  |                                  |  |                            |                  |
| VENABLE LLP<br>P.O. Box 34385<br>Washington, DC 20043-9998<br>(703) 760-1671  |                                  |                                  |  |                            |                  |
| 819988  |                                  |                                  |  |                            |                  |



PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2006

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT**      **(\$)** **510.00**

| Complete if Known    |                        |
|----------------------|------------------------|
| Application Number   | 10/654,170-Conf. #4327 |
| Filing Date          | September 3, 2003      |
| First Named Inventor | Lonnie F. Gary         |
| Examiner Name        | B. Q. Truong           |
| Art Unit             | 2875                   |
| Attorney Docket No.  | 46568-240156           |

### METHOD OF PAYMENT (check all that apply)

Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_

Deposit Account    Deposit Account Number: 22-0261    Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below     Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17     Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| <u>Application Type</u> | <u>FILING FEES</u> |                     | <u>SEARCH FEES</u> |                     | <u>EXAMINATION FEES</u> |                     | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|---------------------|--------------------|---------------------|-------------------------|---------------------|-----------------------|
|                         | <u>Fee (\$)</u>    | <u>Small Entity</u> | <u>Fee (\$)</u>    | <u>Small Entity</u> | <u>Fee (\$)</u>         | <u>Small Entity</u> |                       |
| Utility                 | 300                | 150                 | 500                | 250                 | 200                     | 100                 |                       |
| Design                  | 200                | 100                 | 100                | 50                  | 130                     | 65                  |                       |
| Plant                   | 200                | 100                 | 300                | 150                 | 160                     | 80                  |                       |
| Reissue                 | 300                | 150                 | 500                | 250                 | 600                     | 300                 |                       |
| Provisional             | 200                | 100                 | 0                  | 0                   | 0                       | 0                   |                       |

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

| <u>Small Entity</u> |
|---------------------|
| Fee (\$)            |
| 50                  |
| 25                  |

Each independent claim over 3 (including Reissues)

|     |
|-----|
| 200 |
| 100 |

Multiple dependent claims

|     |
|-----|
| 360 |
| 180 |

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|-----------------|----------------------|
| 26                  | - 48 = 0            | x _____         | = _____              |

| <u>Multiple Dependent Claims</u> |                      |
|----------------------------------|----------------------|
| <u>Fee (\$)</u>                  | <u>Fee Paid (\$)</u> |

HP = highest number of total claims paid for, if greater than 20.

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| 4                    | - 5 = 0             | x _____         | = _____              |

|       |       |
|-------|-------|
| _____ | _____ |
|-------|-------|

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

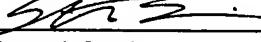
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| _____               | - 100 = _____       | /50 (round up to a whole number) x _____                | = _____         | _____                |

#### 4. OTHER FEE(S)

Other (e.g., late filing surcharge): 2253 Extension for response within third month      510.00

##### SUBMITTED BY

|                   |   |                                      |        |           |                  |
|-------------------|---|--------------------------------------|--------|-----------|------------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) | 42,159 | Telephone | (703) 760-1671   |
| Name (Print/Type) | Stuart I. Smith   |                                      |        | Date      | January 16, 2007 |

819996

**PATENT PROSECUTION RECEIPT OF FILING**

**137408**



**Venable Filing Number**

Atty. Docket No: 46568-240156

Attorney/LAA: SIS:cja

PTO Due Date: October 13, 2006

Current Date: January 16, 2007

**Title of Application:** AUTOMATICALLY ERECTABLE DECORATIVE TREE

Application No: 10/654,170

Filing Date: September 3, 2003

Patent No. :

Issue Date:

**The following items were received from Venable LLP, Washington, D.C., by the U.S. Patent & Trademark Office on the date stamped hereon:**

- Amendment Transmittal Letter (1 page)**
- Fee Transmittal Form SB/17 (1 page)**
- New U.S. Patent Application  
( pages of specification/claims)
- Rule 53(d) Continued Prosecution Application
- Rule 53(b) Continuation or Divisional Application  
(attach copy of specification, claims, drawings and declaration)
- U.S. National Stage Application of PCT Application
- Request for Continued Examination (RCE) under 37 CFR 1.114
- Application Data Sheet
- Substitute Specification
- Priority Document-Cert. Copy of  
Appln.#: ; Country: ; Date Filed:
- Formal Drawings ( sheets, Figs.)
- Inventor Declaration
- Assignment w/Cover Sheet
- Response to Notice to File Missing Parts
- Response to Notice to File Missing Requirements
- Response to Requirement
- Information Disclosure Statement with cited references
- Response
- Amendment (9 pages)**
- Petition/Request for Extension of Time (3- mo. ext.) (1 page)**
- Power of Attorney
- Petition to Revive
- Sequence Listing – CDR Enclosed? Yes No
- Request for Non-Publication
- Reply Brief (in triplicate) / Request for Oral Hearing
- Confirmation of Hearing Petition
- Issue Fee Transmittal
- Certificate of Correction
- Maintenance Fee Transmittal
- Status Inquiry
- Other: (Please describe below)**
- Yellow filing receipt (1 page)**

**U.S. PTO FEES ENCLOSED**

- Filing Fee
- Surcharge Fee
- Additional Claim Fee
- Recordation/Indexing Fee
- IDS Fee
- 510.00** **Extension Fee**
- Notice of Appeal Fee
- Brief on Appeal
- Oral Hearing Request Fee
- Petition Fee
- Issue Fee
- Publication Fee
- Maintenance Fee
- Other Fees (Describe)

**510.00 Total Fees Paid**

Check Number    Attached

Charge Deposit Account No.  
22-0261

\*If Deposit Account was used, was a copy of this form sent to Accounting?

Yes  No

1/16/07

Date

Reviewed By: SN  
Signature of Attorney